

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

WILLIAM S. AHOLELEI,)	CASE NO. 03-00171 HG-KSC
)	
Plaintiff,)	AFFIDAVIT OF KAY BAUMAN,
)	M.D.; EXHIBIT "A"
vs.)	
)	
BARBARA KYSAR, DOCTOR S.)	
PADERES, DOCTOR BAUMAN,)	Trial Date: December 5, 2006
DOES I-V,)	
)	
Defendants.)	
)	

306-072/Bauman Affidavit.wpd

AFFIDAVIT OF KAY BAUMAN, M.D.

STATE OF HAWAI'I)
 :
CITY & COUNTY OF HONOLULU) SS

KAY BAUMAN, being first duly sworn on oath, deposes and says:

1. I am a named defendant in the above-captioned case, and I have personal knowledge of the facts set forth in this affidavit, except where facts are alleged upon information and belief.
2. I am presently the Medical Director of the State of Hawai'i Department of Public Safety ("DPS").
3. I have been the Medical Director of DPS since July 1, 2002. As

Medical Director of DPS, my responsibilities include various administrative and managerial functions required for the operation of the medical units within the various prisons operated by the Department of Public Safety. Additionally, I provide direct medical services to inmates.

4. I have reviewed medical records maintained by the State of Hawai'i Department of Public Safety relating to treatment provided to Plaintiff William S. Aholelei following the date I assumed the position of Medical Director up until the time Plaintiff filed his Amended Complaint naming me as a Defendant in this case.

5. The first time Plaintiff indicated possible kidney problems after I assumed the position of Medical Director was on October 3, 2002. On that date, Plaintiff reported to Sick Call complaining of pain on his left side and urinary difficulty. A physical examination and urine analysis was conducted. Plaintiff was given Tylenol for pain and scheduled for a clinic evaluation.

6. I examined Plaintiff on October 4, 2002 and thereafter requested an ultrasound to determine if he had kidney stones and urology consultation.

7. My request for ultrasound was approved on October 10, 2002 and on October 17, 2002 Plaintiff underwent a CT scan with renal stone protocol. The CT scan revealed a left urethral obstruction calculus and bilateral renal calculi.

8. On October 18, 2002 a request was made for the Plaintiff to have a urology consultation with David Kuchenbecker and an appointment was scheduled

for October 28, 2002. Dr. Kuchenbecker recommended a ureteroscopy and lithotripsy with future ultrasound.

9. On October 31, 2002 the Special Utilization Review Process (SURP) committee approved Dr. Kuchenbecker's recommendation and on November 7, 2002, Plaintiff underwent a cystoureteroscopy, laser lithotripsy, retrograde pyelogram and placement of a stent.

10. Plaintiff next reported symptoms consistent with kidney stones on December 15, 2002. He was provided with Advil and Motrin 600 mg for pain. On December 19, 2002 Plaintiff was examined by Dr. Paderes who prescribed Motrin 800 mg and Keflex.

11. On January 16, 2002 Plaintiff again complained of pain due to kidney stones and was seen by Dr. Young on January 18, 2003. Dr. Young prescribed Motrin 800 mg for 90 days and provided Plaintiff with a strainer to collect the stones for analysis. Dr. Young advised Plaintiff to increase his fluid intake. He also requested a spiral CT scan which was performed on January 29, 2003.

12. On January 30, 2003 I performed a chart review and, based on that review, requested further urology consultation and follow-up. On February 6, 2003 Dr. Kuchenbecker performed a laser ureteroscopy.

13. On February 26, 2003 Plaintiff was again examined by Dr. Kuchenbecker who prescribed medications to dissolve the stones with a follow up

exam in three months.

13. On April 2, 2003 I responded to Plaintiff's Grievance concerning his medical care, explaining that Dr. Kuchenbecker's recommendations were being followed and that Plaintiff would be scheduled for follow up three months following his last appointment of February 26, 2006.

14. On April 30, 2003 another CT scan was performed which revealed a mild to moderate left hydronephrosis improved from January 2003, multiple small left renal calculi, two left ureteral calculi at L3 and S1 levels, and 3 or more right renal calculi but a normal right kidney.

15. On May 27, 2003 I performed a Chronic Care visit and on May 28, 2003 I requested further consultation for Plaintiff with Dr. Kuchenbecker.

16. Consultation with Dr. Kuchenbecker could not be scheduled until July 29, 2003. On July 30, 2003 Dr. Kuchenbecker performed an extracorporeal soundwave lithotripsy on Plaintiff.

17. Attached hereto as Exhibit "A" are true and correct portions of pertinent medical records relating to my treatment of Plaintiff for his kidney condition.

FURTHER AFFIANT SAYETH NAUGHT.

Kay Bauman
KAY BAUMAN

Subscribed and sworn to before me
this 28th day of July, 2006.

Jean N. Lee
Notary Public, State of Hawai'i

vs
JOJAN N. LEE

(Print name)

My commission expires: 04/09/2010